

Appln. No. 10/019,770  
Amendment dated October 14, 2005  
Reply to Office Action of June 14, 2005



### REMARKS/ARGUMENTS

By the present amendment, the claims have been formally amended to revise the language deemed indefinite by the Examiner, thereby to overcome the rejection under 35 U.S.C. §112.

Substantively, the indication of the allowability of claims 2 through 4 is noted and appreciated.

Rejected claim 1 has been amended in a manner that fully distinguishes the present invention over the applied Hammond ('274) and Melchionna ('913) references. Clearly, the upwardly extending chutes of the applied references for returning non refundable containers to a user do not comprise an element for receiving and draining away bottle and can remnants as now recited in the claim.

With the foregoing amendment, claim 1 is deemed allowable and this application in condition for passage to allowance. Such action is respectfully requested.

Respectfully submitted,

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### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop - Fee, P.O. Box 1450, Alexandria, VA 22313-1450 on the 14th day of October, 2005.

Daniel D. Fetterley

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Signature

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Date